

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MAGICAL FARMS, INC., ET AL.,	)	CASE NO. 1:03CV2054
	)	
Plaintiff,	)	JUDGE CHRISTOPHER A. BOYKO
	)	
Vs.	)	
	)	
LAND O'LAKES, INC. ET AL.,	)	ORDER
	)	
Defendant.	)	

CHRISTOPHER A. BOYKO, J:

This matter is before the Court on Defendants Land O'Lakes, Inc. and Land O'Lakes Farmland Feed, LLC's Motion to Place Under Seal or Strike (ECF Dkt# 282) Plaintiffs' Motion to Exclude Anthony Stachowski as an Expert Witness on Grounds of Perjury (ECF Dkt # 266), and Defendant's Motion to Place Under Seal or to Strike (ECF Dkt# 283) Plaintiffs' Motion for an Order to Exclude Dr. Anthony Stachowski as an Expert Witness (ECF Dkt# 280). For the following reasons, the Court grants Defendants' Motion to Place Under Seal or Strike Plaintiffs' Motion to Exclude Anthony Stachowski as an Expert Witness on Grounds of Perjury (ECF Dkt # 266), and grants, in part, Defendants' Motion to Place Under or Strike Plaintiffs' Motion for an

Order to Exclude Dr. Anthony Stachowski as an Expert Witness (ECF Dkt# 280). The Court Orders Plaintiffs' Motion to Exclude Anthony Stachowski as an Expert on Grounds of Perjury (Ecf Dkt#266) Stricken and Orders the Clerk of Courts to Seal the Motion and the attached exhibits as they contain testimony and evidence prohibited by protective order and court order from public disclosure. The Court grants, in part, Defendants' Motion to Place Under Seal or Strike Plaintiffs Motion to Exclude Anthony Stachowski as an Expert Witness(ECF Dkt#280), in part. The Court Orders Stricken only those portions of Plaintiffs' Motion that contain testimony, evidence or refer to information protected by court order and protective order. The Court Orders the Motion and exhibits sealed. This Order does not prevent Plaintiffs from addressing issues of credibility at trial.

The Court denies Dr. Stachowski's Motion to Strike or in the Alternative, Seal Plaintiffs Motions to Exclude Dr. Stachowski as an Expert Witness and Motion to Show Cause for Contempt (ECF Dkt # 286) and Motion for Sanctions (ECF Dkt# 298) as moot based on the Court's rulings on the Land O'Lakes' Motions. The Court denies additional sanctions at this time. The Court will address the *Daubert* challenges in the surviving portions of Plaintiffs's Motion to Exclude Dr. Stachowski as an Expert Witness in a subsequent order.

IT IS SO ORDERED.

3/6/07  
Date

*Christopher A. Boyko*  
CHRISTOPHER A. BOYKO  
United States District Judge

**FILED**

MAR 6 2007

CLERK OF COURTS  
U.S. DISTRICT COURT, N.D.O.  
CLEVELAND